DOCUMENT RESUME

ED 173 991 EC 115 044

TITLE	Arts and the Handicapped: Current Legislation. A Report of a Mini Conference, May, 1977.
INSTITUTION	National Committee, Arts for the Handicapped, Washington, D.C.
SPONS AGENCY	Office of Education (DHEW), Washington, D.C.
PUB DATE	May 77
NOTE	69p.; The Clover Park School District produced the document
AVAILABLE FROM	National Committee, Arts for the Handicapped, Suite 701, 1701 K Street, N.W., Washington, D.C. 20006 ($1.50)
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	*Art Education; Elementary Secondary Education; *Federal Legislation; *Handicapped Children

ABSTRACT

The document reports the proceedings of a mini-conference on the impact of P.L. 94-142 (the Education for All Handicapped Children Act) and Section 504 of the Rehabilitation Act of 1973 on arts programs for the handicapped. Included are sections on the following: a brief review of P.L. 94-142, Section 504, and Section 409 of P.L. 93-380; a copy of the conference program; description of the conference format; review of proceedings covering such areas as exemplary arts programs for the handicapped; a summary of results of small group discussions; a list of participants; and a conference evaluation report. Among appended materials are texts of the presentations entitled "Who Are the Handicapped?," and "A Parent Talks About Arts and the Handicapped." (SBH)

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The National Committee, Arts for the Handicapped
1701 K Street N.W., Suite 801
Washington, D.C. 20006

1977

The material presented herein was developed in part through a grant from the U.S. Office of Education, Department of Health, Education and Welfare. The opinions expressed, however, do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the U.S. Office of Education should be inferred.

ARTS AND THE HANDICAPPED:

CURRENT LEGISLATION

A REPORT OF A

MINI CONFERENCE

MAY, 1977

NATIONAL COMMITTEE: ARTS FOR THE HANDICAPPED

A NOTE OF THANKS

Special thanks go to a number of people who helped to make this conference a worthwhile learning and sharing experience for the participants:

-----to Jean Kennedy Smith, for her words of inspiration and challenge,

-----to Charles Christopher Mark for his wit and charm in moderating the presentations,

-----to Alan Falstreau, Bill Daly, Dan Ringelheim, Mike Norman, Gene Maillard, Fred Weintraub and Rose Mary Stearns for their thoughtful, stimulating presentations,

-----and to Eoline Kukuk, Bennett Tarleton, Chucky Moody and Alan Falstreau for their direction and leadership in the small group discussions.

The contribution of time and talent is very much appreciated.

Wendy Perks
Executive Director

Louise Appell
Associate Director

INTRODUCTION

The enactment of new legislation that ensures handicapped individuals of their rights to "a free, appropriate public education" and to the elimination of discrimination on the basis of handicapping conditions has created opportunity and challenge for leaders in the arts and education. The implications of two landmark pieces of legislation - P.L. 94-142 - "The Education for All Handicapped Children Act" and Section 504 of the Rehabilitation Act of 1973 - are so far-reaching that they portend a dramatic change in personnel preparation and programming for handicapped children across this nation.

Numerous inquiries and concerns regarding the impact of the legislation on programs of arts for the handicapped have been directed to the National Committee, Arts for the Handicapped. Arts educators and special educators are seeking clarification and interpretation as well as help in implementing this new mandate.

In response to the clearly demonstrated need, NCAH assumed responsibility for organizing and convening a mini-conference that could provide opportunity for leaders in the arts and education to hear presentations and participate in small group work sessions designed to increase their knowledge and understanding of current legislation effecting arts for the handicapped.

It is intended that the conference format and proceedings will provide a model for a series of such mini-conferences throughout the country. Dialogue between arts education, special education and regular education personnel will insure that a better understanding of these legislature measures is developed.

---PERTINENT CURRENT LEGISLATION---

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

A MINI-CONFERENCE

PERTINENT CURRENT LEGISLATION

Public Law 94-142

Enacted in November of 1975 as The Education for All Handicapped Children Act, this major piece of legislation acknowledges the right of handicapped individuals to a high quality educational program (and by extension to all other privileges offered by our society) no less than any non-handicapped citizen.

It is the purpose of this Act to assure that all handicapped children have available to them a free appropriate public education and related services designed to meet their unique needs and to assist the states in providing it.

Final regulations governing the provision of formula grant funds to state and local education agencies mention the arts under "related services" and again under the definition of "full educational opportunity". Implied in these regulations is the notion that the arts should be a part of the schooling for all handicapped children.

Section 504, Rehabilitation Act of 1973

Regulations governing Section 504 were published in May, 1977 to apply to each recipient of federal financial assistance from the Department of Health, Education and Welfare.

Section 504 is a global statement of nondiscrimination that reads:

> "No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

The impact of this legislation will be to give equal rights to handicapped people, requiring the removal of architectural barriers and the barriers of discrimination. The implication for acts and cultural programs and activities is that all arts services and facilities open to the non-handicapped person must be equally accessible to the handicapped individual.

Section 409 of P.L. 93-380

Regulations published in June of 1975 contain the following pertinent definition of "arts", "arts education", and "handicapped children":

"Arts" includes, but is not limited to, music, dance, drama, folk art, creative writing, architecture and allied fields, visual arts (including painting, sculpture, photography, graphic arts, and craft arts), industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, the arts related to the presentation, performance, execution, and exhibition of those arts, and the study and application of the arts to the human environment.

"Arts Education Program" means a program in which arts are an integral part of elementary and secondary school curricula.

"Handicapped children" means children who need special education and related services becuase they are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled or otherwise health impaired, or have specific learning disabilities.

The inclusiveness of these definitions will have an important impact on current and future programs of arts for handicapped children and adults.

---PROGRAM---

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

A MINI-CONFERENCE

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

An NCAH Mini-Conference for

Arts and Education Leaders

May 27, 1977

Conference Room: Horace Mann North
NEA Bldg., 1201 16th St., N.W.
Washington, D.C.

9:00 Coffee

9:30 Opening Remarks:

Wendy Perks
Executive Director
National Committee, Arts for the Handicapped

Welcome:

Jean Kennedy Smith
National Chairperson
Very Special Arts Festivals

Moderator:

Charles Christopher Mark
The Arts Reporting Service

9:45 Who Are the Handicapped?

Louise S. Appell, Ph.D.
Program Coordinator
National Committee, Arts for the Handicapped

10:15 An Exemplary Arts Program for the Handicapped

Alan Falstreau
Director
Alan Short Center
NCAH Model Site

10:45 The Workings of Congress

William Daly
Congressional Liaison
State of Washington

11:15 The Role of the Bureau of Education for the Handicapped

Daniel Ringelheim, Ph.D.
Director, Division of Assistance to States
Bureau of Education for the Handicapped

11:45 The Response of State Directors of Special Education

Michael Norman
National Association of State Directors of Special Education

12:15-1:15 Box Lunch

1:15 What is a Very Special Arts Festival?

Eugene Maillard
Festival Coordinator
New York State Very Special Arts Festivals

1:30 The History of P.L. 94-142

Frederick Weintraub, Ed.D.
Assistant Executive Director
Governmental Relations Unit
Council for Exceptional Children

2:00 A Parent Talks About Arts and the Handicapped

Rose Mary Stearns
An Artist and a Parent
Closer Look

2:20 Small Group Work Sessions

Discussion Issues:

1) What is Arts Education for the Handicapped? How does it relate to new legislation?

2) What is the role of national associates in implementing current legislation? In affecting future legislation?

3) What is the role of state associations, state departments of education, state departments of arts and humanities in implementing current legislation? Future legislation?

4) What is the role of local arts and education agencies, parent groups, community organizations in implementing current legislation? Future legislation?

Session Leaders:

Eoline Kukuk
Bennet Tarleton
Chuck Moody
Alan Falstreau

3:30 Reports of Group Sessions

4:00 Summary of Conference

Wine and Cheese

Conference Coordinator: Louise S. Appell, Ph.D.
Program Coordinator
NCAH

Conference Moderator: Charles Christopher Mark
The Arts Reporting Service

Conference Evaluator: William Kalenius, Ed.D.
Director
NCAH Model Site
Clover Park, Washington

---CONFERENCE FORMAT---

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

A MINI-CONFERENCE

CONFERENCE FORMAT

On May 27, 1977, the National Committee, Arts for the Handicapped hosted a mini-conference for leaders in the arts and education with a two-fold purpose:

> To explore, explain, discuss and clarify new legislation in education (Section 5, Education for All Handicapped Children Act, P.L. 94-142, and Section 504, 1973 Rehabilitation Act) as they affect arts education for handicapped children and youth.
>
> To review, refine and determine the best means for implementing the intent of the legislation.

Invitations were sent to selected areas arts and education leaders. These included directors of the major arts education, special education and regular education organizations, as well as university and college personnel.

Conference planners sought out seven program participants with expertise in arts education and arts education administration, special education administration and legislation who represented national, state and local organizations and agencies. A parent representative with an arts background was asked to contribute. A professional writer and consultant in the arts served as the program moderator.

It was determined that there should be a variety of presentation, utilizing slides and film, and that the conference participants would derive more from the experience if a box lunch was brought in rather than to disperse for the lunch hour. Small group work sessions were planned with leaders assigned to direct each discussion group and report the results of the discussions. Discussion sheets were included in a manual of the conference provided each participant, along with the following materials:

> A copy of the Federal Register of 12/30/76 which contained the proposed regulations for P.L. 94-142;
>
> A reprint of an article in American Education of 6/76 "Education of the Handicapped Today" taken from the annual report of the National Advisory Committee on the Handicapped;
>
> A copy of the regulations governing grants under Section 409 of P.L. 93-380, Arts Education Programs;
>
> A copy of testimony on behalf of the arts given by Phyllis Wyeth at the Senate Sub-Committee on the Handicapped Oversight Hearings, March, 1977;

A copy of testimony on behalf of the arts given by Laureen Summers at the House Sub-Committee on Select Education, May, 1977;

Background materials on Section 504, Rehabilitation Act of 1973;

Informational material on NCAH.

In the small group work sessions, the participants addressed themselves to a set of structured questions aimed at an active plan. The arts for the handicapped advocacy role of the participants was a major issue, resulting in the adoption of a resolution on suggested changes in the regulation for P.L. 94-142 to be forwarded to the Bureau of Education for the Handicapped.

---REVIEW OF PROCEEDINGS---

IN BRIEF

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

A MINI-CONFERENCE

"WELCOME"

Jean Kennedy Smith
National Chairperson
Very Special Arts Festivals

I suspect that any one of you is better equipped than I to officially open this legislative mini-conference on Arts and the Handicapped; but I welcome this opportunity to have a part in a program dedicated to making educators and legislators aware of one of our country's richest natural resources - the untapped creativity of its eight million handicapped children.

In the long course of history, our perceptions of those who are called "handicapped" have been altered markedly by our deeper understanding, that blindness may veil brillance, deafness may shroud intellect, dumbness may conceal genius, retardation may shadow talent - and that all these so called handicaps --and other-- may hide the reality of beauty in the lives of persons who have lessons to teach us; gifts to share with us; courage to inspire us.

The truth is that for too long our society has denied the creative impulses and the human worth of those who suffer physical and emotional disabilities.

You, who are here today, have had the training, the experience, the sensitivity, the understanding and, I am sure, the love to attack the myths which still keep the physically and emotional handicapped in the bondage of second class citizenship.

You are among the rare few in our land who know the value, the worth, the merit, that can come from developing the productive impulses of every child of God.

Those of us who have been involved in the Arts for the Handicapped program have come to see how dramatically and graphically music or poetry, or a painting or the dance can evolve creative responses in those who are handicapped. When society ignores that potential, it ignores a tremendous asset.

The great challenge we have beyond the need and joy of working to help those who are disabled find ways to maximize their talents, is to convince our society that when it deprives the handicapped, it deprives us all; when it denies the handicapped, society handicaps itself. Some say "we cannot afford to spend any more to help those who cannot help themselves" - we know that many who are handicapped can not only help <u>themselves</u>, they can help us all - we cannot afford not to let them help us - for only when every child in our society can be assured the opportunity to share in the appreciation of the arts, can all of us claim a share in the wonder of the talent, the creativity, and the job of every child.

"WELCOME"

Jean Kennedy Smith
National Chairperson
Very Special Arts Festivals

In an eloquent reminder of the worth of each handicapped child, conference participants were welcomed and challenged. Citing the creative potential of handicapped children as an inspiration to all those assembled, it was suggested that there is yet much work to be done.

"OPENING REMARKS"

Wendy Perks
Executive Director, NCAH

Keynoting this conference with a review of the rapid series of events significant to arts educators and special educators, these remarks served to give perspective to the participants. Within the past year these activities have dramatically increased the need for more information as well as an expanded reponse throughout the Nation:

1) The National Committee, Arts for the Handicapped receives funding from the U.S. Congress;

2) The Secretary of Health, Education and Welfare signs the regulations to Section 504 of the 1973 Rehabilitation Act;

3) Proposed regulations to P.L. 94-142 are published;

4) Mr. David Rockefeller, Jr., presents his Panel Report on Arts Education: Coming To Our Senses, to the U.S. Congress and calls for a White House Conference on the Arts;

5) The White House Conference on Handicapped Individuals is held.

"WHO ARE THE HANDICAPPED?"

Louise S. Appell, Ph.D.
Program Coordinator, NCAH

This was a presentation accompanied by slides showing the many kinds of handicapping conditions, visible and invisible, mild and severe. The discussion included descriptions of the characteristics of each major handicap and how the arts can be used to ameliorate as well as to enrich. Many of the slides depict ongoing arts programs with laughter and joy evident on the faces of those participating. The purpose of this presentation was to underscore the need for legislative action and to define the population of handicapped persons.

(Text included in Appendices.)

"AN EXEMPLARY ARTS PROGRAM FOR THE HANDICAPPED"

Alan Falstreau
Director, Alan Short Center
NCAH Model Site

This slide presentation accompanied by narration described the work of the Alan Short Center, which serves adult handicapped individuals in a rich program of the arts. These activities develop cognitive, motor, perceptual and communication skills as well as developing an improved self-image. A wide variety of teaching techniques are used to offer an individualized approach. The Alan Short Center sets high expectations for its clients and has been encouraged by the high performance that has resulted.

"THE WORKINGS OF CONGRESS"

William Daly
Congressional Liaison
State of Washington

This was an overview of the workings of Congress, including a description of how money is appropriated, how bills are marked up and the names of key figures involved in the appropriation process. The audience was encouraged to develop a strong broad-based support among its constituency, keeping them informed on pertinent legislation and using them to exert pressure on Congress when that was appropriate. Mr. Daly urged the participants to unify their efforts and be careful not to get involved in individual splintered channels of interest.

"THE ROLE OF THE BUREAU OF EDUCATION FOR THE HANDICAPPED"

Daniel Ringelheim, Ph.D.
Director, Division of Assistance to
the States
Bureau of Education for the Handicapped

Opening with the challenge, "Are music and art educators ready for the handicapped?", Dr. Ringelheim went on to state that equal opportunities for arts education for both handicapped and non-handicapped will be an issue under the new laws. However, a specific provision for arts education for the handicapped was not included in the law. He suggested that regulations being re-written at the time would include mention of arts therapists, music therapists and dance therapists. While he recognized the arts as a critical component of the educational process, he pointed out that there are no precise requirements in the law for arts as there are for basic skills. Concluding with a BEH endorsement of the concept of arts for the handicapped, he cautioned that cost factors and implementation problems must be acknowledged.

"THE RESPONSE OF STATE DIRECTORS OF SPECIAL EDUCATION"

Michael Norman
Coordinator of Special Projects
National Association of State
Directors of Special Education

This presentation was a description of P.L. 94-142 and Section 504 of the Rehabilitation Act of 1973 as it applies to arts education for handicapped children. Calling P.L. 94-142 a formula grant program and a management program which will hold states accountable, Mr. Norman suggested that when taken together with Section 504, the two acts represent "Civil Rights for the Handicapped." He described the concept of "least restrictive environment", cautioning that nowhere in the law is there mention of mainstreaming. He described the plan for educational management teams in which parents, administrators and teachers work cooperatively to establish goals and develop educational programs for each special student. He concluded with the observation that one outcome of arts programs for handicapped children in the schools will be to provide alternatives for students in making life decisions.

"THE HISTORY OF P.L. 94-142"

Frederick Weintraub, Ed.D.
Assistant Executive Director
Governmental Relations Unit
Council for Exceptional Children

In this discussion of the long history that preceded the passage of P.L. 94-142, Dr. Weintraub emphasized the influence of earlier legislation and the role of lobbyists whose major area of concern is handicapped children. Citing constituent pressure as important, he praised the efforts of many groups involved in effecting final passage of this landmark legislation. He also pointed out some of the limitations of the law and the futility of working for amendments at this time.

"A PARENT TALKS ABOUT ARTS AND THE HANDICAPPED"

Rose Mary Stearns
An Artist and A Parent
Closer Look

In this presentation, Mrs. Stearns focused on the very real meaning the arts can have for a handicapped child, the importance of success, the need for handicapped people to have all kinds of learning experiences. Recounting the childhood of her brother, who is physically handicapped from polio and her son, who is hyperactive and neurologically impaired due to brain damage at birth, she cited the value of creative activity for them both. The message in this presentation was a testimony to the impact of the arts.

(Text of this topic in Appendices.)

---RESULTS OF SMALL GROUP DISCUSSIONS---

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

A MINI-CONFERENCE

RESULTS OF THE SMALL GROUP DISCUSSIONS

Format

Four groups of seven or eight met with a group leader to discuss four major issues:

1. What is arts education for the handicapped? How does it relate to new legislation?

2. What is the role of national associations in implementing current legislation? In effecting future legislation?

3. What is the role of state associations, state departments of arts and humanities in implementing current legislation? In effecting future legislation?

4. What is the role of local arts and education agencies, parent groups, community organizations in implementing current legislation? In effecting future legislation?

Summary

---There was general acceptance of the definition of "arts" and "arts education" contained in the Arts Education Program regulation, Section 409 of P.L. 93-380:

> "'Arts' includes, but is not limited to, music, dance, drama, folk art, creative writing, architecture and allied fields, visual arts (including painting, sculpture, photography, graphic arts and craft arts), industrial design, costume and fashion design, motion pictures, television, radio tape and sound recording, the arts related to the presentation, performance, execution, and exhibition of those arts, and the study and application of the arts to the human environment."
>
> "'Arts education program' means a program in which arts are an integral part of elementary and secondary school curricula."

---Discussion of the term "handicapped" led to expressed rejection of the term "the handicapped" and acceptance of the definition included in P.L. 94-142:

> "'Handicapped children' means children who need special education and related services because they are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or otherwise health impaired, or have specific learning disabilities."

---Concern was expressed over the use of the word "therapy" in the P.L. 94-142 regulations as being limiting.

---It was noted that there was a need for a legislative mandate comparable to that which exists for physical education in P.L. 94-142.

---It was suggested that the professional arts organizations should unify their efforts in order to bring about an amendment to the current legislation P.L. 94-142 that would specifically provide for arts programs for children with handicapping conditions.

---There was general discussion of the tendency for current legislation to cause segregation in terms of programming and money.

---It was generally agreed that the professional arts organizations (American Theatre Association, Music Educators National Conference, National Dance Association, National Art Education Association) should provide information, expertise, technical assistance and pressure where appropriate in influencing and in implementing legislation that provides for arts programs for handicapped individuals.

---There was an expressed need for establishing information conducts among these groups and through these national associations to their membership, utilizing their publications to inform and explain the content and intent of the current legislation.

---It was suggested that there should be a national clearinghouse for information, resources and technical assistance and that The National Committee, Arts for the Handicapped could assume this role.

---There was general agreement that training programs need to be developed to prepare arts educators and special educators to implement current legislation.

---It was strongly recommended that the various arts organizations should take an aggressive advocacy position.

---There appears to be a need for state level personnel in arts and humanities and in special education to develop a communication network and a working relationship.

---It was felt that state associations and state departments had an important role to play in gathering and disseminating information.

---There was general agreement that local organizations represent a largely untapped resource capable of providing grass roots information on the needs of handicapped individuals for arts programs.

---LIST OF PARTICIPANTS---

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

A MINI-CONFERENCE

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

LIST OF PARTICIPANTS

Marion Berliner, Director
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Great Neck, New York

James Blanchard
Very Special Arts Festivals
Regional Advisor
Arts Supervisor
Clover Park School District (NCAH Model Site)
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Doug Carter, Executive Vice President
Developmental Disabilities Service
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Washington, D.C.

William Daly
Congressional Liaison
Washington State

Barbara Dixon
Representative for Senator Birch Bayh

Alan Falstreau
Very Special Arts Festivals
Regional Advisor
Director, Alan Short Center (NCAH Model Site)
Stockton, California

Sondra B. Gair, Associate Professor
Art Education
George Mason University

John Ganse
National Dance Association

Chalres L. Gary, Coordinator
Arts and HEW Project

Margie R. Hanson, Executive Secretary
National Dance Association
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Doris Indyke
National Dance Association

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Joan S. Lanoy
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State Director of Special Education
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Mark Twain Programs,
Montgomery County Schools

Ruth Mondschein, Director
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Member, NCAH Board of Directors

Charles Moody
Director of Development
Music Educators National Conferece

Jack Morrison, Executive Director
American Theatre Association
Member, NCAH National Committee

Michael Norman
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National Association of State
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Richard T. Pioli, Director
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Mary Ann Ramirez
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Wayne Ramirez, Director
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Daniel Ringelheim, Director
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Julian Stein, Consultant
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Rose Mary Stearns
Research Assistant
Closer Look
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Richard Swanby, Instructor
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Bette Valenti
Very Special Arts Festivals
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Visual Arts Coordinator
Maryland National Capital Park
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Arlyhn Snukals
Closer Look

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the Handicapped

Wendy Perks
Executive Director
National Committee, Arts for
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---CONFERENCE EVALUATION---

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

A MINI-CONFERENCE

EVALUATION OF ARTS AND THE HANDICAPPED:
CURRENT LEGISLATION
May 4, 1977

OBJECTIVES:

1. To explore, explain, discuss and clarify new legislation in education (Section 5, Education for All Handicapped Children Act, P.L. 94-142, and Section 504, 1973 Rehabilitation Act) as they affect arts education for handicapped children and youth.

2. To review, refine and determine the best means for implementing the intent of the legislation.

ANTICIPATED RESULTS:

1. Formation of an arts and handicapped advocacy group.

2. Production of a monograph for national dissemination.

PARTICIPANTS:

The participants in the mini-conference were professionals and parents representing both the private sector as well as government, the arts as well as the handicapped. A list of participants is attached.

EVALUATION PROCEDURE:

The participants were asked to complete an evaluation form at the conclusion of the mini-conference. The evaluation was designed to give feedback to the NCAH staff as to the worthiness of the conference format, its objectives and future cooperative strategies of those organizations present.

GENERAL FINDINGS:

The overall opinion of the participants was that the conference was a success. Specifically, the majority of the participants felt the speakers and program were well planned. A number of participants, however, felt the addition of handicapped consumers was needed. And the services most needed from NCAH by conference participants was information and technical assistance. The conference participants along with NCAH additionally recommended changes in the regulations of P.L. 94-142 to insure comprehensive arts and cultural programs for handicapped children.

APPENDIX I

RESOLUTION OF DELEGATES

In Section 121 a.26 Full educational opportunity goal-facilities, personnel, and services:

The description of the number and kind of facilities needed for handicapped children needs to include the phrase "cultural facilities" in order to emphasize the importance of the availability of such facilities to the handicapped.

In Section 121 a.202 Full educational opportunity goal:

In the listing of program options, an insert to include dance and drama following "art, music" would expand the goal of full educational opportunity with specific mention to these two additional dimensions of arts activity.

Non-academic and extracurricular services and activities should include designation of arts and cultural activities to conform to the intent of the Congress.

In Section 121 a.203 Physical education:

The inclusion of a separate description of physical education responsibilities insures that states will plan specifically for such programs for the handicapped. The National Committee, Arts for the Handicapped argues that without a similar special description of arts education, state administrators, burdened with details of planning will ignore the arts and fail to plan in any meaningful way for arts education opportunities for handicapped school children.

In Section 121 a.225 Content of individualized education program:

Under subsection (d) (1) "related services" needs to be expanded to include "arts education" in order to emphasize the inclusion of specific planning in arts as a part of the individualized education program.

RESOLUTION OF DELEGATES
AT THE
NATIONAL COMMITTEE, ARTS FOR THE HANDICAPPED
ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

May 17, 1977

This body recommends that the National Committee, Arts for the Handicapped, the sponsor of this conference, and any associations so desiring unify to promote amendments and/or word changes to the law and/or to the regulations of P.L. 94-142, The Education For All Handicapped Children Act, to insure comprehensive arts and cultural programs for handicapped children.

We recommend the following changes be made to the proposed regulations:

In Section 121 a.4 Definitions:

"Related services" is said to include recreation, but does not mention arts education. The National Committee, Arts for the Handicapped suggests that arts education be included here, particularly in the light of the special interest expressed by the House of Representatives, Committee Report No. 94-332 in which the Committee emphasized "the value in developing artistic and cultural programs for handicapped children" and "that programs under this bill could include an arts component."

"Recreation" is said to include leisure education but does not mention the inclusion of arts programs. The importance of specific inclusion of the phrase "arts programs" is fundamental to providing the impetus to state program planners for developing arts programs.

Inasmuch as "physical education" was accorded specific mention in the regulations "to conform with Congressional intent as stated in the House of Representatives Report #94-332" (page P-15, Third Draft Consolidated Concept Paper Under Part B of the Education of the Handicapped Act as Amended by Public Law 94-142) it seems reasonable to suggest that the arts should be given special attention for the same reason.

In Section 121 a.263 Inservice training:

> The listing of groups requiring training needs to include arts educators, as well as arts therapists and artists who are participating in artist in residence programs in the schools in order to insure their inclusion in any inservice training plans.

The above recommendation was adopted as a Conference Resolution by the voice vote of Conference delegates, May 27, 1977.

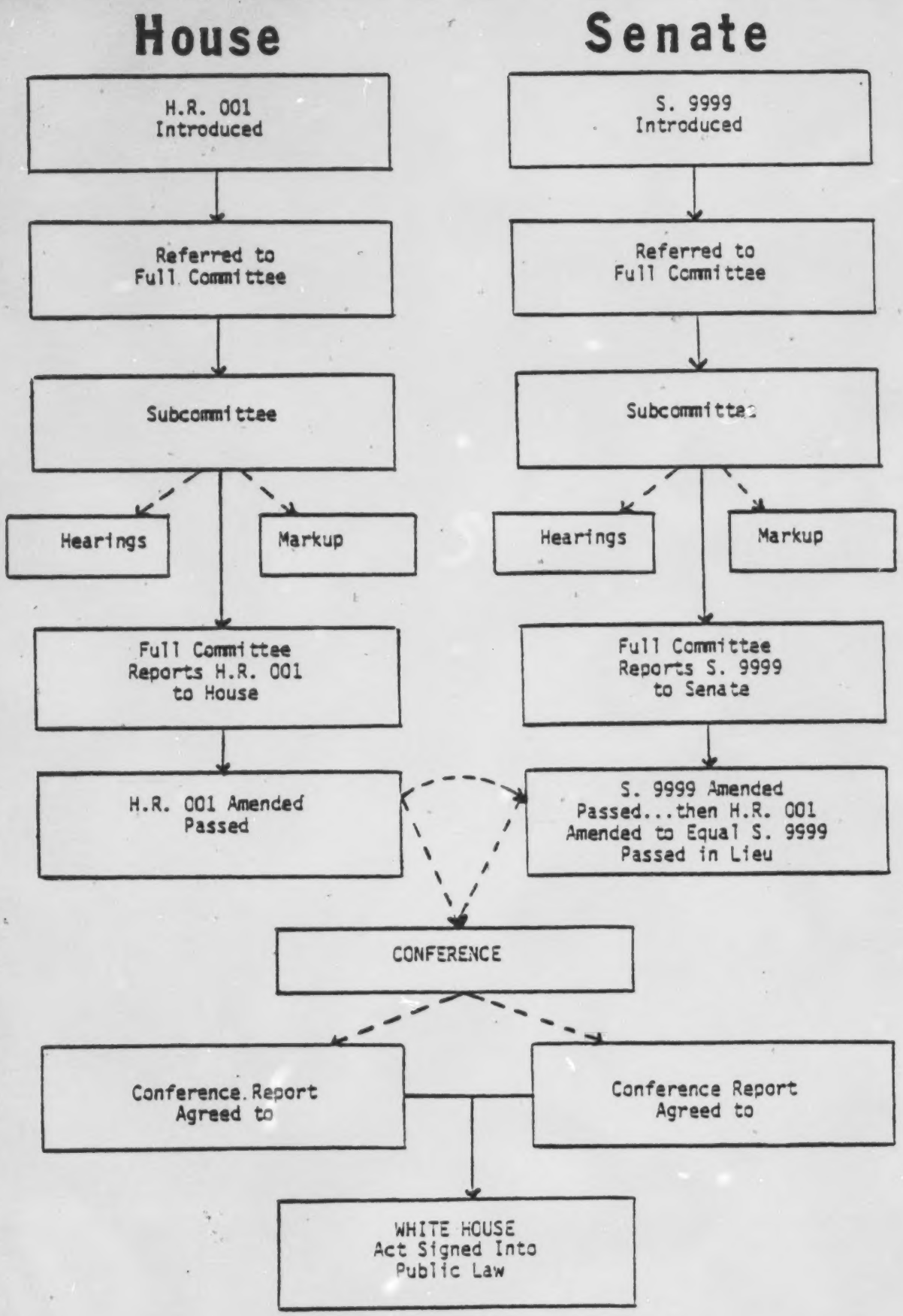
APPENDIX II

A MODEL

OF

THE PATH OF LEGISLATION

A TYPICAL EXAMPLE



the path of legislation: a typical example

APPENDIX III

RELEVANT

CONGRESSIONAL COMMITTEES

Membership Lists

SENATE SUBCOMMITTEE ON EDUCATION
(Authorization for Arts Education Legislation)

	Phone	Room*
Sen Clairborne Pell, Chairman Rhode Island	224-4642	325
Sen. Jennings Randolph West Virginia	224-6472	5121
Sen. Edward Kennedy Massachusetts	224-4543	431
Sen. Thomas Eagleton Missouri	224-5721	1215
Sen. Robert T. Stafford Vermont	224-5141	5219
Sen. Richard S. Schweiker Pennsylvania	224-4254	347
Sen. S. I. Hayakawa California	224-3841	6221

*Room numbers with three digits are in the Russell Building.
Room numbers with four digits are in the Dirksen Building.

HOUSE SUBCOMMITTEE ON ELEMENTARY, SECONDARY
AND VOCATIONAL EDUCATION
(Authorization for Arts Education Legislation)

	Phone	Room*
Carl D. Perkins, Chairman Kentucky	225-4935	2365
William D. Ford Michigan	225-6261	2368
Ike Andrews North Carolina	225-1784	228
Michael T. Blouin Iowa	225-2911	213
Paul Simon Illinois	225-5201	227
Leo C. Zeferetti New York	225-4105	215
Ronald M. Mottl Ohio	225-5731	1233
Austin J. Murphy Pennsylvania	225-4665	1118
Joseph A. LeFante New Jersey	225-2765	507
Ted Weiss New York	225-3635	1229
Cecil Heftel Hawaii	225-2726	322
Baltasar Corrada Puerto Rico	225-2615	1319
Dale E. Kildee Michigan	225-3611	503
George Miller California	225-2095	1532
Albert H. Quie Minnesota	225-2271	2271

John Buchanan Alabama	225-4921	2159
Larry Pressler South Dakota	225-2801	1132
William F. Goodling Pennsylvania	225-5836	1713
Shirley N. Pettis California	225-5861	1421
Carl D. Pursell Michigan	225-4401	1709
KEY STAFF John Jennings Shirley Mills Toni Painter Nancy Kober Beattie Clay	225-4368	B-346C-RHOB

*Room numbers with three digits are in the Cannon HOB.
Room numbers with four digits beginning with 1 are in the Longworth HOB.
Room numbers with four digits beginning with 2 are in the Rayburn HOB.

SENATE SUBCOMMITTEE ON HANDICAPPED

	Phone	Room*
Senator Jennings Randolph Chairman West Virginia	224-6472	5121
Senator Thomas Eagleton Missouri	224-5721	1215
Senator Orrin Hath Utah	224-5251	115A
Senator Robert Stafford Vermont	224-5141	5219
Senator Harrison Williams, Jr. New Jersey	224-4744	352

*Room numbers with three digits are in the Russell Building.
Room numbers with four digits are in the Dirksen Building.

SENATE SUBCOMMITTEE
LABOR, HEALTH, EDUCATION & WELFARE
(Appropriations)

	Phone	Room*
Warren G. Magnusen Washington	224-2621	127
Robert C. Byrd West Virginia	224-3954	133
William Proxmire Wisconsin	224-5653	5241
Ernest F. Hollings South Carolina	224-6121	115
Thomas F. Eagleton Missouri	224-5721	1215
Birch Bayh Indiana	224-5623	363
Lawton Chiles Florida	224-5274	2107
Quentin N. Burdick North Dakota	224-2551	451
Edward W. Brooke Massachusetts	224-2742	437
Clifford P. Case New Jersey	224-3224	315
Richard S. Schweiker Pennsylvania	224-4254	347
Charles Mathias Jr. Montana	224-4654	358

*Room numbers with three digits are in the Old Senate Office Building.
Room numbers with four digits are in the New Senate Office Building.

HOUSE SUBCOMMITTEE ON SELECT EDUCATION
2178 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(Authorization for Handicapped Legislation)

	Phone	Room*
MAJORITY MEMBERS		
John Brademas, Inc., Chairman	225-3915	1236
Edward Beard Rhode Island	225-2735	131
George Miller California	225-2095	1532
Dale E. Kildee Michigan	225-3611	503
Cec Heftel Hawaii	225-2726	322
Augustus F. Hawkins California	225-2201	2350
Mario Biaggi New York	225-2464	2421
Carl D. Perkins, Ex-officio Kentucky	225-4935	2365
MINORITY MEMBERS		
James Jeffords Vermont	225-4115	429
Larry Pressler South Dakota	225-2801	1132
Albert H. Quie, Ex-officio Minnesota	225-2271	2185

*Room numbers with three digits are in the Cannon H.O.B.
Room numbers with four digits beginning with 1 are in the Longworth H.O.B.
Room numbers with four digits beginning with 2 are in the Rayburn J.O.B.

HOUSE SUBCOMMITTEE
LABOR, HEALTH, EDUCATION, WELFARE
(Appropriations)

	Phone	Room*
William H. Natcher Kentucky	225-3501	2333
Daniel J. Flood, Chairman Pennsylvania	225-6511	108
Neal Smith Iowa	225-4426	2373
Edward J. Patten New Jersey	225-6301	2332
Frank E. Evans Colorado	225-4761	2230
David R. Obey Wisconsin	225-3365	2349
Edward R. Roybal California	225-6235	2404
Louis Stokes Ohio	225-7032	2455
Joseph D. Early Massachusetts	225-6101	1032
Robert H. Michel Illinois	225-6201	2112
Silvio O. Conte Massachusetts	225-5335	2300
George M. O'Brien Illinois	225-3635	434
Carl D. Perkins, Ex Officio Kentucky	225-4935	2365
Albert H. Quie, Ex Officio Minnesota	225-2271	2271

KEY STAFF

Henry Neil	225-3508	2358
Fred Pfluger		
Bob Knisely		
Nick Cavarocchi		
Bettylou Taylor		
Michael Stephens		

*Room numbers with three digits are in the Cannon HOB.
Room numbers with four digits beginning with 1 are in the Longworth HOB.
Room numbers with four digits beginning with 2 are in the Rayburn HOB.

APPENDIX IV

TEXT OF PRESENTATION

"WHO ARE THE HANDICAPPED?"

WHO ARE THE HANDICAPPED?

Louise Appell, Program Coordinator
National Committee, Arts for the
Handicapped

Who are the handicapped? Why ask the question? Everybody knows. Or does everybody know?

Many people think only in terms of wheelchairs and white canes as handicaps. For some people, the only real handicap is mental retardation, and the only manifestation of that is in the institution. The perception of some are limited to those whose handicaps are visible, and some have a righteous view of handicaps as signs of some secret and hidden sin. The stereotypes are many.

Who are the handicapped? Not just those with orthopedic impairments or hearing or visual impairments, not just the emotionally disturbed or behaviorally disordered, not just the mentally retarded or the learning disabled--but all of these and more. They include the health impaired with a significant loss of vitality, the individual in need of special environments or medical support, the stutterer and the cosmetically disfigured and more--and more. Their handicaps range from the mild to the severe. Some handicaps are invisible until they erupt in the violent seizures of the emotionally disturbed. And some are very visible, with twisted bodies and vacant minds. But--regardless of the severity of the handicap--all--all humans can learn, can experience and for some, we will never know how important, how vital, how enriching arts can be.

Statistics on the numbers of afflicted children are really only estimates, depending on the criteria used. But a look at the numbers is frightening, especially as we consider how much there is yet to do.

Hearing impairment is a handicap that can, and often does lead to defects in self-confidence, social adjustment and emotional stability. The acquisition of language is frequently seriously affected, resulting in deficits in concept formation, reading skills and the development of maturity. In persons with severe impairment, there may be little in the way of usable oral speech. For such children, the arts can be an extremely important communication tool, vital to the development of self-image and a vehicle for improving their interaction with a hearing world.

Visual disability runs the gamut from those whose vision problems are readily corrected with prescription lenses to those with no usable vision at all. They are by no means a homogenous group with common characteristics, but rather represent a group of individuals who share a common need for some kind of adaptation or modification of the environment, of materials, of programs. We can generalize to the extent that these persons do suffer from

restricted sensory input and that rich and stimulating experiences that develop touching and listening skills improve their total functioning. The arts offer many opportunities for growth in these areas. Self-concept is often negatively affected in persons with severe visual impairment, and again, the arts can serve as an important image builder.

There are large numbers of persons whose intellectual functioning is limited in varying degrees from mild to moderate to severe retardation. As society becomes more complex, intellectual competence becomes more positively valued and intellectual deficit acquires negative values. Aside from the functional problems of limited cognitive abilities, persons with this handicap often suffer most from society's rejection and scorn. The arts can offer a way for these persons to create and to perform and to be recognized for their creations and performances as worthwhile people. In addition, mentally retarded people need a variety of techniques for presenting new material for learning and the arts can become an exciting and stimulating tool for this purpose.

The term "behavioral disabilities" can be used to describe a large group of persons who for a variety of reasons do not conform to society's behavioral expectations. Sometimes these are angry people, sometimes these are withdrawn people and sometimes they act in bizarre and frightening ways. Such conduct may be perceived as disruptive and unacceptable and authority's reactions may exaggerate the problem behaviors. These are persons who frequently function at depressed levels of cognition and whose learning skills are seriously affected. They can profit from the expressive arts as a way to reveal and deal with inner conflicts and the arts can provide the means for reaching and teaching people who reject the traditional approaches.

Many persons are afflicted with oral communication problems, some mild and temporary, and some severe and permanent. They range from the child with an articulation problem to the aphasic who cannot give voice to the word in his head. In a world that places so much value on the ability to speak lucidly, the person with this probelm frequently falls behind in the mainstream and perceives himself as devalued. The arts can afford many avenues for improving this poor self-image and can prove to be an effective technique for teaching.

There is a group of individuals who have been called orthopedically handicapped, crippled, health impaired, chronically ill, physically impaired and delicate. Their problems and the constraints they live with are as varied as are the people who have them. Many of these persons require continuous medical care and the intervention strategies that make it possible for them to be mobile and to interact in a mobile world are multitudinous. Many adjustments in personal life, social life and vocational life are essential. For some, restrictions are mild and for others, activities must be severely circumscribed. These are often the people whose handicap is most visible, and who are most often

viewed by others as inadequate, less than whole human beings. Many suffer from multiple handicaps when mental, emotional or sensory deficits accompany their physical impairments. The education of these people tends to be interrupted frequently and medical problems may mean reduced exposure to the environment. Bringing the arts to these people or them to the arts may require extraordinary efforts and imagination, but the enrichment derived from these experiences is very important.

A group of people with learning problems so serious that they constitute a handicapping condition have been called variously "brain injured, neurologically impaired, brain damaged", and are now generally referred to as having "specific learning disabilities". The condition, which impairs the individual's ability to learn through usual techniques, is often accompanied by visual, auditory and psychomotor perceptual disturbances and also by such behavior disorders as hyperactivity and explosiveness. Speculation as to causation has little relevance to working with these people, but it is well to note that there is usually assumed to be some cerebral dysfunction. In other words, these people are <u>not</u> willfully resisting our attempts to teach them. What does appear to be necessary is a variety of teaching techniques other than traditional ones and the arts offer a highly personalized and creative method of communicating information, as well as a channel for expression.

Those who work for and with the handicapped believe that each individual has a right to the opportunity to acquire all the competencies, skills, knowledge, understanding and appreciation of which he or she is capable. And in the special field of arts for the handicapped, we would add the right to beauty and wonder, delight and fun, exuberance and happiness that improve the quality of life and put lights in the eyes and smiles on the lips. The National Committee, Arts for the Handicapped is committed to this ideal.

APPENDIX V

TEXT OF PRESENTATION

"A PARENT TALKS ABOUT ARTS AND THE HANDICAPPED"

"A PARENT TALKS ABOUT ARTS AND THE HANDICAPPED"

Rose Mary Sterns
Parent and Artist

I am an artist. I come from a long line of ladies who painted flowers on china and those velvet throws that once covered pianos and sofas in the parlor.

My daughter is an artist, my oldest son is a craftsman, my husband drew cartoons in his youth, my physically handicapped brother is an artist and my youngest son, brain damaged at birth, now 20 years old, is an artist.

My brother had polio 46 years ago--when he was 6 years old. From the time we could manage a pencil or crayon, he and I amused each other drawing pictures. My mother saw to it that we had an endless supply of scratch paper and nothing was more inspiring than a brand new box of crayons.

My brother's bout with Infantile Paralysis (as we called it then) left him incapacitated except for his right hand. He now manages well with a leg brace and cane, but his rehabilitation has taken many years.

I remember way back in time, my mother holding a drawing pad and my brother laying flat on his back, laboriously drawing a picture of Popeye the Sailor Man. Later, as he was able to sit up and do more, he began drawing in a comic strip format. He drew long adventure stories of himself and imaginary friends playing football, climbing mountains, living as hoboes. Those were depression days and we lived in New Mexico along the southern route to California. Raggedy men asking for work and food were a routine part of our day. To us, they were mysterious and glamorous and they provided my brother with much material for his adventures.

As he grew older, my brother specialized in drawing cowboys and horses. Today, he is an authority on early Spanish horseman gear and saddlery. He writes and illustrates articles for publications such as "American Horseman".

My brother's health had been delicate before he had polio. Afterwards, he retreated into himself. I really don't believe he would have survived had it not been for this ability to express himself with his pencil. His adventure stories gave him something to live for from day to day. There was always the question, "Would so-and-so make it through the pass or would the bad guys get him?"

He was a long time out of the mainstream and years with a home-bound teacher. So long, in fact, that he will always be a little bit apart. Without skills, he would have no real identity.

After our own two "normal" children were born, I had little time for my own painting. However, I did what my mother did before me. I provided the children with an endless supply of scratch paper, pencils and crayons. John and Jennie amused themselves as my brother and I had when we were children. For them too, the best thing for a rainy day was a brand new box of crayons.

Our third child, Stephen, was born prematurely and suffered brain damage--most likely due to oxygen problems. His development was slow and his behaviour often bizarre. By the time he was 5, he was extremely hyperactive, almost completely non-verbal and spent his waking hours tearing about the house screaming. Also, he spent very little time sleeping. Surprisingly, he behaved reasonably well when he was out of the house. As you can imagine, I spent a great deal of time out of the house with him, always behind in the housework and neglecting my other children. It was beginning to look as if one or the other of us would have to be committed to an institution.

I discovered that I could occasionally catch Stevie on the run and he would calm down a bit and we would look at books together. If a pencil was handy, he would grab it and scribble furiously on the pictures.

One day I calmed down long enough to look through these books with their curious marks all over the pictures. I was struck by the enormous energy in these scribbles. It was as if Stevie was trying physically to get inside the book and into the pictures.

That made me wonder if he could be taught to draw. My motives were completely self-centered. If he could only entertain himself, I could get some relief.

I set out each day to teach him to draw. I tried to catch his attention while I drew simple pictures. I tried to guide his hand in circles, squares and lines. I got nowhere. He would snatch the pencil, rip the paper with it, jump up and run off screaming. About this time, a kindergarten teacher agreed to give Steve a trial period in her class. She had no idea of how he behaved at home. I took him to school with great trepidation.

The structure of school had a calming affect on Steve. He ran around the school yard at recess like a little wild animal, but was reasonably quiet in class.

Several weeks after he started to school, his teacher called. She was ecstatic. Steve had produced a picture of a house, but a house with great character. "You wouldn't believe it", she said and proudly posted it on the bulletin board.

From then on, he was off and running with pictures. He drew houses by the hundreds. Simple houses became more complex. Fences appeared, trees and mountains. Houses gave way to scenes from stories from TV, from movies. He took up dinosaurs, monsters.

As with my brother, Steve's ability to express himself visually gave him a life. It opened up his capacity to learn in other ways. It was an outlet for his enormous energy. There were other benefits. I discovered that while he and the other special children who came to play had trouble interrelating and communicating, they would often settle down to draw and color. One Down's Syndrome boy was especially talented and he and Steve could spend hours drawing Flintstone and adventures.

Another interesting dividend--teachers and other professionals paid less attention to Steve's low IQ score when they saw his pictures.

When Steve was 10, we sent him to a residential school--the Camphill Special School in Pennsylvania. Some of you have probably heard of this remarkable school and I wish there were time to talk about it in more detail. The Camphill people consider all the art forms vital in the development of every human being. Every child, no matter how disabled, participates in rhythmic exercises, drama, arts and crafts. Steve flourished there and got broader art experiences than I had time or patience to give him at home. I should say that he was exposed to the usual things at the special day school that he first attended here in Washington. The difference was in the emphasis. The enthusiasm and commitment of the Camphill people for creative work made it a regular, all-day part of their life style.

One Thanksgiving when Steve and a friend from Camphill were here for vacation, I took them to the Renwick, our museum here that specializes in arts and crafts. After several hours, I had to drag the boys out to keep a date with my husband. They were completely absorbed. Here were two 15 year old boys methodically and yet enthusiastically looking at everything in the Renwick.

During Steve's last year at Camphill when he was 17, an Israeli sculptor participated as a sort of artist in residence. Steve would visit Tevye in the afternoon after classes and when work was done, share a glass of wine and talk about Israel and Art.

What a marvelous thing for any 17 year old! It is sad that this kind of generosity and respect should seem so remarkable when it is extended to a "retarded" 17 year old.

Steve has been living at home for 3 years now. I wish I could say that he has been productive artistically. That kind of activity has dwindled away to next to nothing.

There have been moments. When he was first home, he went through a trying time in a program that didn't work out. He was greatly relieved when it was over and announced that he was going to go up to my studio and paint Easter pictures.

Another time, after a trip to New Mexico, he was inspired and did some scenes of New Mexico.

However, it is as if his re-entry into our frantic way of living is too distracting and hurried for him to while away an evening drawing and painting. He attended special classes at our neighborhood school and was mainstreamed into the regular art class. He loved it, but didn't shine as an artist. He doesn't do well working from a still life or a model. He does best when drawing from his visual memory.

Steve is now in a vocational program and working as a janitor's assistant as part of job training. People ask if his artistic aptitude can't be developed vocationally. I don't think so. He is blissfully uncritical of his work and uninterested in changing anything he does or in producing on demand. Also, his lack of sophistication is very evident in his work. Actually, I would rather he use his art as an outlet and a source of pleasure.

Like most artists, he feels guilty about not doing his art. Right now, however, he is using all his energies coping and trying to be just like his "normal" less artistic peers.

Simpleminded artsy busy work has long been offered handicapped children in lieu of real education. What I sometimes call the macaroni and paste school of art. I don't want to put down well meant efforts but if the Camphill people can communicate a scene of beauty and wonder and excitement and respect for great art to children of many levels of understanding, then so can other people. It is essential that our handicapped people have every learning experience there is and develop every resource they have in them.

While my story is about a boy with an obvious talent, I don't think Steve is unique. A friend of his, unable to read music, plays the piano by ear and this in spite of the fact that he has poor motor coordination.

I believe that we are all endowed with talents handed down through the generations. We use these gifts in different ways and certainly only those with that extra drive and need for recognition become professional artists. Some, like Winston Churchill, use one talent professionally and the other to enrich leisure moments.

Fortunately, with the renaissance the whole country is experiencing today, creative work is being taken seriously. There has never been a larger pool of talent to draw from for teachers and therapists in all the arts.

My talk has been a bit far from the subject of legislation and I haven't had much to say about art in the schools. My brother had no formalized art education. Steve was late coming to it. I have no way of knowing if they would have ever taken up a pencil had it not been a part of our family life. If they had not had this opportunity, their lives would have been bleak, indeed.

I do know that my brother's picture stories kept his mind active. I think Steve's pictures helped him to begin to organize a very disorganized mind. He was drawing pictures before he could use many words or speak in sentences.

We still know very little about the mysterious ways children learn. I believe creative activity contributes so much to a child's mental development that we can't leave this area to chance. Conferences like this one will help spark programs in the arts so that no child will be left out.

APPENDIX VI

SMALL GROUP DISCUSSION FORM

ARTS AND THE HANDICAPPED: CURRENT LEGISLATION

DISCUSSION ISSUES

1) What is Arts Education for the Handicapped? How does it relate to new legislation?

2) What is the role of national associates in implementing current legislation? In affecting future legislation?

3) What is the role of state associations, state department of arts and humanities in implementing current legislation? Future legislation?

4) What is the role of local arts and educatior agencies, parent groups, community organizations in implementing current legislation? Future legislation?

APPENDIX VII

EVALUATION FORM

NATIONAL COMMITTEE * ARTS FOR THE HANDICAPPED

Mini-Conference

on

Legislation

May 27, 1977

NAME _____

POSITION _____

ADDRESS _____

CURRENT TELEPHONE NUMBER _____

Please REACT to the purpose of this conference, (i.e., whether you feel it was a worthwhile endeavor for NCAH to undertake).

Please REACT to the content of the conference, (i.e., whether you feel sufficient information was conveyed and any areas that should have been covered and were not).

Please indicate what could have been changed to improve this conference (time, place, length, invitees).

Please indicate suggestions for future cooperation between our organizations.

What services could you provide in a consortium?

What kinds of services would you like NCAH to provide?

IN JUNE 1974, THE JOSEPH P. KENNEDY, JR. FOUNDATION PROVIDED THE FUNDING FOR A NATIONAL CONFERENCE ON ARTS FOR THE MENTALLY RETARDED, WHICH CREATED A TREMENDOUS NATIONAL INTEREST IN THE CONCEPT OF INTEGRATING THE ARTS INTO THE EDUCATION OF THE MENTALLY RETARDED CHILD. AS A RESULT OF SEVERAL CONFERENCES AND FUNDING BY THE KENNEDY FOUNDATION AND ALLIANCE FOR ARTS EDUCATION, A NATIONAL COMMITTEE WAS ORGANIZED TO COORDINATE THE DEVELOPMENT OF A NATION-WIDE PROGRAM OF ARTS FOR ALL HANDICAPPED CHILDREN. THE NATIONAL COMMITTEE, ARTS FOR THE HANDICAPPED IS COMPOSED OF LEADERS FROM MAJOR NATIONAL ARTS ORGANIZATIONS, ORGANIZATIONS REPRESENTING HANDICAPPED CITIZENS, GENERAL EDUCATION ORGANIZATIONS AND PRIVATE FOUNDATIONS. NCAH, AN EDUCATIONAL AFFILIATE OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS, OPERATES AS THE NATIONAL COORDINATING AGENCY FOR THE DEVELOPMENT AND IMPLEMENTATION OF ARTS PROGRAMS FOR HANDICAPPED CHILDREN AND YOUTH.

THE NATIONAL COMMITTEE, ARTS FOR THE HANDICAPPED

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A. ROBERT TOWBIN
Vice Chairman, New York State Council on the Arts

PHYLLIS WYETH
Secretary, NCAH

"Only when every child in our society can be assured the opportunity to share in appreciation of the arts, can all of us claim a share in the wonder of the talent, the creativity, and the joy of every child."

Jean Kennedy Smith
National Chairperson
Very Special Arts Festivals